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Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice: other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

Activities of the institutes of the United Nations crime prevention and criminal justice programme network

Report of the Secretary-General

Summary

The present report was prepared pursuant to General Assembly resolution 46/152 and Economic and Social Council resolutions 1992/22, 1994/21 and 1999/23. It contains a summary of the activities of the institutes of the United Nations crime prevention and criminal justice programme network.

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I. Introduction

1. One of the functions of the Commission on Crime Prevention and Criminal Justice is to facilitate and to help coordinate the activities of the institutes comprising the United Nations crime prevention and criminal justice programme network, which have undertaken to assist in the implementation of the mandate of the Secretary-General on crime prevention and criminal justice. The Commission may request the institutes, subject to the availability of resources, to implement selected elements of the programme and suggest areas for inter-institute activities.

2. The Secretary-General, in turn, seeks to ensure that the expertise and resources of the institutes are utilized effectively in the implementation of the United Nations crime prevention and criminal justice programme. Member States are invited to explore the possibility of cooperative projects with the institutes.

3. The present report, summarizing the activities carried out in 2013 by the institutes, has been prepared by the European Institute for Crime Prevention and Control, affiliated with the United Nations, in accordance with General Assembly resolution 46/152 and Economic and Social Council resolutions 1992/22, 1994/21 and 1999/23 and Council decision 2010/243, and it contains contributions from the institutes.

4. The United Nations Office on Drugs and Crime (UNODC), the United Nations focal point for the United Nations crime prevention and criminal justice programme network, chaired two coordination meetings of the network in 2013. The first meeting was held in connection with the twenty-second session of the Commission, while the second meeting was hosted by the International Scientific and Professional Advisory Council in Courmayeur, Italy.

II. Activities of the United Nations Interregional Crime and Justice Research Institute

5. Pursuant to the statute of the United Nations Interregional Crime and Justice Research Institute (Economic and Social Council resolution 1989/56, annex), the Board of Trustees of the Institute has submitted a report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, containing information on the activities undertaken by the Institute in 2013 (E/CN.15/2014/18).

III. Activities of the regional and affiliated institutes

A. Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders

6. The Asia and the Far East Institute for the Prevention of Crime and the Treatment of Offenders is a regional institute established in 1962 by agreement between the United Nations and the Government of Japan. Its aim is to promote the sound development of criminal justice systems and mutual cooperation in crime

prevention. During 2013, the Institute conducted the following training courses and seminars:

(a) The 153rd international senior seminar (9 January to 8 February): 22 senior criminal justice officials discussed the treatment of female offenders in the 13 participating countries;

(b) The 154th international training course (21 May to 28 June): a course entitled "Stress management of correctional personnel: enhancing the capacity of mid-level staff" brought together 19 criminal justice officials from nine countries;

(c) The 155th international training course (21 August to 27 September): 22 participants from eleven countries engaged in in-depth discussions on the effective collection and utilization of evidence in criminal cases with the Institute's faculty and visiting experts and formulated practical solutions to be applied in their countries;

(d) The sixteenth training programme on the United Nations Convention against Corruption (6 October to 13 November): 25 participants from twelve countries discussed the status of corruption and related acts in their countries, as well as related challenges with regard to investigation, prosecution and adjudication and emphasized the importance of the implementation of the Convention;

(e) The thirteenth training course on the treatment system for juvenile delinquents in Kenya (30 January to 22 February): eleven participants from juvenile justice agencies were exposed to theories and practices with regard to "through-care" and what is required to treat juveniles in the juvenile justice system. At the end of the course, the participants prepared training materials on "through-care" for childcare and protection officers in Kenya;

(f) The ninth seminar on criminal justice for Central Asia (27 February to 14 March): twelve participants from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan examined anti-corruption measures under the theme "Addressing corruption which hinders countermeasures for drug offences and other crimes, especially ethics and codes of conduct for judges, prosecutors and law enforcement officials".

7. From 3 to 5 December 2013, the Institute hosted the seventh regional seminar on good governance for South-East Asian countries in Kuala Lumpur. Eighteen participants representing 10 countries attended the seminar. Experts gave presentations on the theme "Enhancing investigative ability in corruption cases", and participants discussed the importance of international cooperation and best practices in responding to corruption.

8. From 22 July to 23 August, the Institute dispatched a professor to provide technical assistance to Kenya on its juvenile justice system, in coordination with Kenya's national project for capacity-building of childcare and protection officers. The professor participated in the terminal evaluation of the project, made a presentation on the 20-year history of the Institute's support to Kenya's juvenile justice system, delivered a lecture on information sharing in the Japanese juvenile justice system and assisted in the preparation of guidelines on "through-care" and aftercare for the children in statutory institutions. The guidelines were approved by the Director of Children's Services, the Director of Probation and Aftercare Services

and the Commissioner General of Prison Service, and were shared with senior childcare and protection officers through a symposium on "through-care" and aftercare for the children in the juvenile justice system.

9. The Institute also issued several publications containing material from the various training courses and seminars, including the *UNAFEI Newsletter* (Nos. 140-142), the *Resource Material Series* (Nos. 89-91) and the report of the sixth regional seminar on good governance for South-East Asian countries.

B. Latin American Institute for the Prevention of Crime and the Treatment of Offenders

10. In 2013, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders carried out the following activities:

(a) The Institute submitted the final report on compliance with the Santiago Guidelines on Victim and Witness Protection at the twenty-first General Assembly of Latin American Prosecutorial Agencies in Ecuador, jointly with the prosecutorial agency of the government of the city of Buenos Aires;

(b) In Mexico, assistance was provided to the National Congress on challenges and repercussions of the General Victims Law;

(c) The publication *Access to Justice and Human Rights* by the Institute and the prosecutorial agency of the government of the city of Buenos Aires, was presented in Argentina;

(d) The Institute, together with the UNODC Regional Office for Central America and the Caribbean in Panama, provided training to 25 members of the Police Intelligence Unit of Costa Rica's Judicial Investigations Agency, and advisory services were provided for the preparation of the regulations to law No. 9095 against trafficking in human beings. Advisory services were also provided to Honduras in the preparation of a geographic-strategic mapping project on human trafficking. The document entitled "Procedural preconditions in realizing the right to effective remedies; restitution, recovery and compensation: the case of Costa Rica" was presented by the Institute in Chile to the Special Rapporteur on trafficking in persons, especially in women and children;

(e) The Institute conducted a number of actions, in collaboration with the Justice and Gender Foundation, including the following:

(i) The preparation of indicators to measure due diligence in criminal justice in cases of gender violence;

(ii) The organization of the second meeting of public defenders on the penitentiary systems and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), held in San José from 30 July to 1 August 2013;

(iii) The organization of the first meeting on criminal justice systems for gender justice held in San José from 30 July to 1 August 2013;

(iv) The development of virtual courses on criminal justice with a gender focus for Latin America in May and September 2013;

(v) The production of a documentary, entitled "Femicide, passion or control", that analyses the responsibility of the media in criminal proceedings;

(vi) The development of a course on "Disability and the prison system" on 4 November 2013;

(vii) Cross-insertion of the gender focus in the Training School of the Attorney General's Department of El Salvador in June and November;

(viii) The organization, together with the Office of the Public Defender of Paraguay, of a regional seminar on the application of the Brasilia Rules from 14 to 17 October 2013;

(ix) Assistance was provided to the Government of El Salvador in developing a bill for the control of public events to prevent violence in May-September 2013;

(x) The organization of a campaign for the prevention of gender violence in Costa Rica, El Salvador, Guatemala and Honduras in January-December 2013;

(f) In the field of juvenile justice, the Institute provided training and technical assistance to judges, prosecutors, defence attorneys and prison staff in Argentina, Costa Rica, the Dominican Republic and Uruguay;

(g) The Institute provided training and technical assistance in addressing issues related to prisons, overpopulation and torture, to the Governments of Argentina, Bolivia, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay and Peru. The Institute also took part in working group meetings to revise the United Nations Minimum Rules for the Treatment of Prisoners;

(h) Professionals from Argentina, Chile, Italy and Spain were welcomed under the internship programme of the Institute;

(i) Several publications were produced in 2013, on the basis of the projects mentioned above. In addition, the Institute's documentation centre responded to inquiries from Latin America, the Caribbean and other regions. The website (www.ilanud.or.cr) has become a valuable regional digital library.

C. European Institute for Crime Prevention and Control, affiliated with the United Nations

11. In 2013, the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), conducted the following activities:

(a) The Institute continued its work on the *European Sourcebook of Crime and Criminal Justice Statistics* and a project on developing European statistics on non-custodial sanctions (DECODEUR), in addition to continuing to serve as a partner in the New European Crimes and Trust-based Policy (FIDUCIA) project. In addition, the project to enhance efforts in the Baltic Sea region to address trafficking for forced labour (ADSTRINGO) has continued. The Institute also participated in a project in Poland on the direct and indirect costs to society caused by violence;

(b) At the request of UNODC, the Institute initiated two new projects: the preparation of a guide on self-assessment of the implementation of the United Nations Convention against Transnational Organized Crime, and the development of an inventory of anti-corruption projects;

(c) Among the projects completed in 2013 were studies on activities for the collection of international data on gender-based violence across the European Union, on security in Finnish prisons and aftercare (Stage III), and on capacity-building and female prisoners with a history of violence and abuse (STRONG);

(d) In 2013, the Institute published volume No. 75 in the HEUNI publication series, entitled *Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking*;

(e) In 2013, the Institute continued to coordinate many of the activities of the institutes of the United Nations crime prevention and criminal justice programme network, including the preparations of the workshops at the sessions of the Commission on Crime Prevention and Criminal Justice. The Institute is also, together with UNODC, coordinating preparations for the workshops to be held at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015. In particular, the Institute is responsible for the organization of workshop 2 of the Thirteenth Congress, on "Trafficking in persons and smuggling of migrants: successes and challenges in criminalization, mutual legal assistance and in the effective protection of witnesses and trafficking victims".

D. African Institute for the Prevention of Crime and the Treatment of Offenders

12. In 2013, the African Institute for the Prevention of Crime and the Treatment of Offenders implemented the following activities:

(a) Research-based articles for the third edition of the *African Journal of Crime and Criminal Justice* have been processed;

(b) The Institute is processing several research requests. Nigeria has requested assistance on capacity-building for the rehabilitation of trafficking victims. Malawi has requested assistance on issues related to trafficking in persons, alternative sentencing and forensic investigations. South Sudan has requested assistance on prison reform and resource mobilization, and a needs assessment has been discussed with the relevant authorities. The Institute has also provided an initial report to the authorities, following a request from Cameroon regarding a situational analysis of piracy in the Gulf of Guinea region;

(c) The Institute has initiated discussions with the Bureau of International Narcotics and Law Enforcement Affairs of the United States of America, UNODC and the African Union, on joint research projects, with the view to addressing Africa's drug problem;

(d) In 2013, funding challenges affected the following projects:

(i) A study on the illicit drug situation in Africa has been only partially completed, and a report is being printed;

(ii) An evaluation of the post-revolution criminal justice (alternative dispute resolution) system in Rwanda;

(iii) An assessment of the efficacy of sharia law on crime prevention;

(e) The African Union Commission, in conjunction with the Institute and the Bureau of International Narcotics and Law Enforcement Affairs of the United States, together with the Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific, organized a technical consultative meeting on drug use, prevention and treatment programmes in Kampala from 18 to 20 February 2013. The meeting was attended by representatives of national drug control agencies from 38 countries;

(f) The Institute, the African Centre of Excellence for Information Ethics of the University of Pretoria and the African Centre for Cyberlaw and Cybercrime Prevention, collaborated in organizing training workshops against cyberscams, identity theft and other e-mail fraud. The workshops were held in Kenya, South Africa, Uganda and the United Republic of Tanzania. Furthermore, a training workshop on effective cybercrime legislation in East Africa was held in Dar es Salaam, United Republic of Tanzania;

(g) The Institute organized a workshop for government departments responsible for the protection of the environment of Uganda, at which challenges and strategies for practical intervention for improved environmental management were discussed;

(h) The Institute, in conjunction with the Centre for Capital Punishment Studies of the University of Westminster of the United Kingdom of Great Britain and Northern Ireland, organized a workshop for law students at Uganda universities on mitigation in capital sentences;

(i) The Institute hosted a delegation from the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders to strengthen bilateral cooperation within the United Nations crime prevention and criminal justice programme network. The Director of the Division of Treaty Affairs of UNODC participated as a keynote speaker in the environmental crime workshop;

(j) Throughout 2013, the Institute consulted Kampala-based diplomatic missions with a view to identifying mutual concerns. The Institute is exploring the development of a project on alternative dispute resolution in Africa based on indigenous mechanisms for sustained stability in the region;

(k) The Economic Commission for Africa provided financial and technical support to the Institute and undertook a needs assessment, with a view to developing concrete recommendations to address resource deficiencies. The report is expected to be released by January 2014;

(l) In March 2013, the Government of Uganda issued a deed for the land occupied by the Institute, thus paving way for the mobilization of donor support for the development of the centre of excellence for crime prevention and criminal justice.

E. International Centre for Criminal Law Reform and Criminal Justice Policy

13. The mission of the International Centre for Criminal Law Reform and Criminal Justice Policy is the promotion of the rule of law, human rights, democracy and good governance through local, national and international efforts. In 2013, the Centre carried out the following activities:

(a) The Centre developed for UNODC a guidance note for UNODC staff entitled "Gender mainstreaming in the work of UNODC". The purpose of the note is to assist UNODC staff in effectively integrating a gender perspective into all aspects of their work, from planning strategic tools, developing normative standards, designing and delivering thematic and regional programmes and working through the project cycle;

(b) The Centre contributed to the development of the UNODC draft handbook on "Effective prosecution responses to violence against women and girls" by participating in the meeting organized by UNODC and the Thailand Institute of Justice, held in Bangkok in April 2013. A Centre associate was engaged to draft and finalize the handbook with the inputs from the meeting;

(c) The Centre supported the development of the blueprint of action and implementation plan for the criminal justice system to prevent and respond to violence against women and girls. A Centre associate prepared a discussion guide for the meeting sponsored by UNODC and the Thailand Institute of Justice, which was held in Bangkok in June 2013. The Centre associate drafted the blueprint for action following the meeting;

(d) The Centre supported the development of the UNODC handbook entitled *The United Nations Convention against Corruption: A Strategy for Safeguarding against Corruption in Major Public Events*. A Centre senior associate was involved in the drafting of the report launched at the fifth session of the Conference of States Parties to the Convention against Corruption, held in Panama City in November 2013;

(e) The Centre contributed to the drafting of *Justice in Matters Involving Child Victims: Model Law and Related Commentary*, which was released by UNODC in November 2013;

(f) The Centre contributed to the UNODC *Handbook on Strategies to Reduce Overcrowding in Prisons*. A Centre associate and senior associate participated in the expert group where the document was reviewed;

(g) The Centre participated in the expert group meeting held in Vienna in October to review the draft updated Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice. A senior associate of the Centre drafted a proposal for consideration by the expert group and worked on the accompanying commentary;

(h) The Centre assisted in the preparation of the United Nations crime prevention and criminal justice programme network workshop held during the twenty-second session of the Commission on Crime Prevention and Criminal

Justice, at which workshop it presented a paper entitled "Effect, issues and challenges for victims of crime that have a significant impact on the environment".

F. Australian Institute of Criminology

14. The Australian Institute of Criminology is Australia's national research and knowledge centre on crime and justice. It carried out the following research activities in 2013:

(a) As part of the Institute's ongoing programme of research on trafficking in persons and slavery, the Institute produced a report profiling offenders convicted in Australia and three reports on trafficking in persons in Indonesia, based on data from the International Organization for Migration. A report on forced and servile marriage in the context of human trafficking was also produced;

(b) As part of the Institute's programme of work on financial crime, it published reports on organized crime and public sector corruption and on experiences of consumer fraud in Australia;

(c) Research was developed in relation to cybercrime, with a report published on threats to small businesses arising from cloud computing;

(d) A report on the mental health of offenders was published, based on data collected as part of the Drug Use Monitoring in Australia (DUMA) programme, which collects drug abuse information from approximately 3,000 police detainees;

(e) A series of reports on crime prevention were published during 2013. These included reports on evaluating large-scale community crime prevention programmes, designing products in a way that discourages crime, a review of effective crime prevention interventions, and a study on targeting crime prevention activity at the most prolific offenders. Training on designing crime prevention projects was also delivered during the year.

15. The Institute also undertook research on issues associated with the work of criminal justice agencies, including studies of court-based programmes, bail and remand of young people, and the use of bonds and suspended sentences.

16. The Institute continued to administer a series of criminal justice-related monitoring programmes that report on an annual or biennial basis. These include monitoring programmes associated with armed robbery, deaths in custody, fraud experienced by the Government of Australia, homicide and police custody.

17. The Institute, through its criminology research grants, supports the wider criminological research community in the conduct of research. This year, the Institute published research funded under this grant programme on diversion schemes for youth from remote aboriginal communities, the profiling of hoax calls and suspicious fires, recidivism associated with suspended sentences and an analysis of the supervision skills of juvenile justice workers.

18. The Institute continues to develop its dissemination strategy, with increasing use of Facebook, Twitter, and YouTube (see the Criminology TV web page). During 2013, the Institute delivered occasional seminars on a range of topics including strategies for covert web searching, payment by results, the role of communication

in counter-terrorism, burglary, corrections and alternative dispute resolution. The Institute hosted three major conferences on youth justice, international serious and organized crime, and child abuse and neglect.

G. International Institute of Higher Studies in Criminal Sciences

19. In 2013, the International Institute of Higher Studies in Criminal Sciences carried out the following activities:

(a) The Institute submitted to the International Commission of Inquiry on Libya, established by the Human Rights Council, a report on the history and context of the recent conflict in Libya, and provided a chronology and assessment of events. Subsequently, the Institute project on protecting human rights in North Africa issued the publication *Libya: From Repression to Revolution*;

(b) As a result of the success of its technical assistance programme in support of the justice and law enforcement sectors in Bahrain on the international protection of human rights, implemented in 2012, the Institute extended its agreement with the Government of Bahrain in order to increase the number of Bahraini justice practitioners who would benefit from the lessons learned and the practical experiences acquired during the programme. During two sessions conducted in 2013, the Institute trained judges, prosecutors, investigators, and law enforcement and police officers and organized a study tour of international judicial institutions;

(c) Sixty-five experts in the field of international law, high-level United Nations and government officials, and presidents and prosecutors of the international tribunals participated in the Meeting of Experts on the Establishment of Principles and Best Practices for International and National Commissions of Inquiry at the seat of the Institute, in Siracusa, Italy, from 14 to 17 March 2013. They discussed the need for comprehensive reform within the United Nations system of human rights fact-finding and the need for the establishment of guidelines to ensure that such commissions are fair, objective and independent. The guidelines were published under the title "Siracusa guidelines for international, regional and national fact-finding bodies";

(d) The American Bar Association Center for Human Rights and the Institute convened a summit of international organizations and experts to discuss the formation of an unprecedented international consortium for the enhancement of the capacity of the International Criminal Court, with an immediate focus on judicial engagements;

(e) A workshop on financial investigations and recovering stolen assets, co-organized with the Basel Institute on Governance and UNODC, was attended by 19 trainees from the Middle East and North Africa. The purpose of the workshop was to enhance the capacity of their key law enforcement agencies in analysing, investigating and prosecuting international corruption cases;

(f) In its capacity as partner of the consortium implementing the European Union-funded project for building the capacity of the Lebanese judiciary, the Institute selected international experts to support the Lebanese justice in its

endeavours for modernization and to increase the efficiency, credibility and capacity of its judiciary system;

(g) The 107 graduate students, young attorneys, researchers and junior officers of non-governmental and intergovernmental organizations from 44 different countries who attended the Institute's thirteenth Specialization Course for Young Penalists were trained on the future of international criminal law in the era of globalization.

H. Naif Arab University for Security Sciences

20. In 2013, the Naif Arab University for Security Sciences, which is the scientific branch of the Council of Arab Ministers of the Interior, conducted the following activities:

(a) The organization of specialized training courses on transnational organized crime, countering terrorism, justice restoration, crime prevention and criminal justice. For instance, the Institute held one training course on border management and protection, as well as a course on the detection of forged documents, in collaboration with the German police, in Germany. In France, the Institute organized a training course on technical and professional intervention skills, in collaboration with the National Institute of Police of France. In Jordan, the Institute organized two training courses: on skills development strategy for leaders, and the other on border guards. In the Sudan, the Institute organized a training course on security awareness for the future, in collaboration with the Higher Military Academy. A training workshop course on trafficking in persons and migration was organized jointly with the International Organization for Migration;

(b) The Institute organized forums and symposiums on the following themes: "Modern techniques in evacuation, shelter and rescue", "Arab strategy to fight terrorism in the light of social changes", "Arab and international laws in combating terrorism", "Arab threats to food security", "Employment of modern technologies in drug prevention", "Arab strategy for nuclear security", "Fraud and forgery of credit cards", "Pollution in industrial cities" and "Improve outcomes of graduate studies and strengthen their role in achieving sustainable development and overall security";

(c) The Institute also organized an international conferences on the rights of the Arab child from 9 to 12 December and an international conference on crime trends in the light of regional and international changes from 18 to 20 March 2013, in Riyadh;

(d) The Institute updated and printed five volumes reflecting its academic efforts on promoting human rights, drugs and narcotics prevention, promoting civil defence and civil protection, combating corruption and fighting human trafficking. In addition, the Institute continued to publish the monthly magazine *Security and Life* in Arabic;

(e) In 2013, the University also signed cooperation agreements with the following organizations: Gulf Cooperation Council Criminal Information Center to Combat Drugs in Qatar, the International Islamic University in Pakistan, the National Anti-corruption Commission in Saudi Arabia and the Higher Military Academy in the Sudan.

I. National Institute of Justice of the United States Department of Justice

21. The National Institute of Justice is the research, evaluation and development branch of the United States Department of Justice. Its mission is to provide objective, independent, evidence-based knowledge and tools to meet the challenges of crime and justice, particularly at the state and local levels in the United States. The Institute remains an active participant in international initiatives and supports UNODC in a number of ways. The Institute's numerous research investments often overlap with those found in the UNODC mission. For example, in 2013 an Institute researcher from the San Diego State University met with UNODC officials in Vienna to discuss the findings of his study identifying potential victims of human trafficking among migrant labourers. The results of all research by the Institute are available at its website (www.ncjrs.gov), which allows users to search by topic (e.g., "violence against women").

22. In 2013, the Institute carried out a number of activities related to UNODC and the United Nations in general. A short summary of selected activities includes:

(a) At the twenty-second session of the Commission on Crime Prevention and Criminal Justice, the Institute contributed to a side event on the preparations under way for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2015. The Institute's presentation outlined the objectives for the workshop on "Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation";

(b) The Institute participated in an expert group meeting hosted by UNODC in December 2013 that focused on measuring the hidden populations associated with trafficking in persons;

(c) With its sister agency, the Bureau of Justice Statistics, the Institute supported an effort to collect data on crime statistics at the request of UNODC, in connection with the United Nations *Global Study on Homicide*;

(d) The Institute continued its involvement in the preparations for the Thirteenth Congress workshop 3 with the review of relevant Crime Commission resolutions and literature published on the topic. An updated statement of goals and objectives was drafted at the close of 2013, and the Institute is seeking to secure funding for participation of experts at the Congress workshop.

J. Raoul Wallenberg Institute of Human Rights and Humanitarian Law

23. In 2013, the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, an independent academic institution based at Lund University (Sweden), carried out the following activities:

(a) Capacity development:

(i) In China, representatives of five National Prosecutor colleges (in the provinces of Henan, Shandong, Heilongjiang and Guizhou and the city of

Chongqing) improved their knowledge and skills regarding human rights and methodologies for teaching human rights. They also developed human rights courses and had the courses reviewed by peers and experts. In addition, Haidian District People's Procuratorate, in Beijing, continued to implement juvenile justice reform through increased coordination among local stakeholders. Two human rights training courses were held for police academy teachers in Guangxi and Hunan;

(ii) In the context of the Institute's cooperation with the Directorate General of Corrections of the Ministry of Law and Human Rights of Indonesia, the Institute assessed the compliance of five Indonesian prisons with the provisions of the Standard Minimum Rules for the Treatment of Prisoners. That cooperation promoted further integration of international human rights law and prison management principles into the standard role and functions of the prisons. In addition, activities were conducted to assist the Directorate General of Human Rights to implement the newly adopted law on juvenile justice;

(iii) The Institute's cooperation with the Kenya Prisons Service contributed to strengthening the capacity of Human Rights Officers at each level of the correctional system to conduct human rights assessments, deliver training and advise on compliance with international standards. The Institute further contributed to the establishment of national priorities for action to achieve systemic compliance with the Standard Minimum Rules for the Treatment of Prisoners and, through cooperation with the Kenyan judiciary and other justice sector stakeholders, the development of a road map for national policy on bail and remand;

(iv) In Turkey, structures and resources for human rights teaching were enhanced at the Justice Academy of Turkey, and the High Council of Judges and Prosecutors and the Ministry of Justice;

(v) In the Middle East and North Africa, strategies were developed by, and knowledge and skills were enhanced with, judicial training institutes in the region (Algeria, Iraq, Jordan, Morocco, the State of Palestine and Tunisia) to mainstream human rights in teaching and enhance intraregional cooperation;

(vi) Through cooperation with the East African Court of Justice, the Institute strengthened the knowledge and skills of judges of the Court and, jointly with the Court, contributed to improved information on and awareness of the Court's cases and proceedings with Court stakeholders in East Africa, inter alia through the publication of a court users guide;

(vii) In cooperation with the African Policing Civilian Oversight Forum and the Southern African Development Community Parliamentary Forum, strategies on how policing and police oversight concerns in Southern Africa could be more effectively addressed were formulated at a workshop with parliamentarians and other key stakeholders in the region, held from 4 to 6 December 2013 in South Africa;

(b) Training tools. At the request of UNODC, the Institute has contributed to the development of training modules for correctional officers and

judges/prosecutors on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

K. International Centre for the Prevention of Crime

24. The International Centre for the Prevention of Crime, the sole international organization dedicated exclusively to crime prevention and community safety, conducted the following activities in 2013:

(a) Knowledge-sharing:

(i) The Centre organized a series of miniconferences between May and November on a wide range of topics, including mediation, crime prevention, crime prevention in Sweden, challenges in crime data, domestic violence and judicial measures. The Centre and partner organizations made presentations at those conferences;

(ii) From 22 to 23 August, the Centre organized its fourth international conference on crime observatories, in Cartagena, Colombia, in collaboration with the National Police of Colombia, the government of the department of Bolívar, the Presidential Agency of International Cooperation of Colombia, and the National Observatory of the Crime and Criminal Justice Responses (ONDRP) and the National Transport Crime Observatory (ONDT) of France;

(iii) The Centre participated in the Quebec Society of Criminology's annual conference in October and in an international seminar in Santiago on crime prevention and promising practices;

(b) The Centre produced the following publications and reports:

(i) *Training Manual on Policing Urban Space*, commissioned by UNODC;

(ii) Report on territorial strategies for crime prevention for the Interministerial Committee for Crime Prevention (CIPD) of France;

(iii) Report on territorial strategies for crime prevention on behalf of CIPD;

(iv) *Compendium of Innovative Practices in the Prevention of Violence and Crime among Youth*, for the Ministry of Public Security of the government of Quebec, Canada;

(v) The Centre is currently developing its fourth international report on crime prevention and community safety;

(vi) The Centre is also developing reports on the following topics: a comparative human trafficking report for the Ministry of Public Safety of Canada; and violence in public institutions, safety in public transport, and an international report on domestic violence (for the Government of Norway);

(c) Strategic partnerships and technical assistance:

(i) The Centre continues to lead the project "Preventing violence against women and youth in Peru", a three-year programme financed by the Canadian International Development Agency;

(ii) The Centre continues to act as a consultant for the three-year project on institutional capacity-building for crime prevention in Central America, which is implemented through the Central American Integration System Observatory and Index on Democratic Security (OBSICA) and the Centre for International Studies and Cooperation;

(iii) The Centre has continued to oversee the Cabot Square project, which entails the development and implementation of a strategy to improve safety and to respond to the needs of the aboriginal population in the west downtown area of Montreal, Canada;

(iv) The Centre is providing assistance to the Makivik Corporation in revising the Ungaluk crime prevention funding programme in Nunavik, northern Quebec, Canada;

(v) The Centre is providing assistance to the Government of Tunisia in carrying out crime mapping in local municipalities within the larger framework of reforming the security sector;

(vi) The Centre has three new members: Mexican Institute of Integral Prevention (IMEPI), Bruxelles Avance Brussel Vooruit (ASBL BRAVVO) and the Centre for Law Enforcement and Public Health.

L. Institute for Security Studies

25. The Institute for Security Studies, an independent non-profit applied policy research institute with offices in Addis Ababa, Dakar, Nairobi and Pretoria, carried out the following activities in 2013:

(a) Crime and human security:

(i) Publication of the *South African Crime Quarterly* and the *African Security Review*;

(ii) Organization of regular seminars and briefings for policymakers and decision-makers;

(iii) Monitoring and analysing crime and justice trends in several African countries;

(iv) Crime research and analysis focused on improving the ability of State and non-State actors to understand the crime and violence challenges confronting them and respond in ways that minimize harm and insecurity, while promoting human rights and civil engagement. The publications of the Institute can be accessed on its website (www.issafrica.org/topics/crime-and-criminal-justice);

(v) The continued use of the Crime and Justice Information and Analysis Hub, the core project on crime and human security, which provides

user-friendly, timely, accurate and reliable information and analysis about crime, the performance of the criminal justice system and social crime prevention. The Crime and Justice Information and Analysis Hub currently covers South Africa (www.issafrica.org/crimehub);

(vi) Training on crime and policing for senior officials in a number of African countries;

(vii) Projects on the functioning and performance of the criminal justice system;

(viii) Provision of information and analysis on the policies, strategies and performance of the criminal justice system;

(ix) Promotion of community safety;

(x) The Institute hosted the fourth international conference on national and international perspectives on crime reduction and criminal justice;

(b) Countering transnational threats, international crime and terrorism:

(i) Collaboration with regional organizations and governments in Africa to provide training on transnational and international crime, and terrorism, to government officials and members of the judiciary;

(ii) Assistance to requesting States in legislative drafting with a view to implementing the Rome Statute of the International Criminal Court;

(iii) Training of senior prosecutors and police officials from Southern, East and West Africa on dealing with terrorism. The specialized training included specific aspects such as crime scene investigation, crime scene management and bomb disposal for the police;

(iv) Coordination of the African Network on International Criminal Justice (ANICJ), for which the International Crime in Africa Programme serves as the Secretariat (www.issafrica.org/anicj). Organizations interested in having a link to their websites included on the ANICJ page can send an e-mail to anicj@issafrica.org;

(v) Hosting continental, regional and national workshops on international criminal justice, counter-terrorism and responding to transnational threats for civil society, judges, prosecutors and investigators;

(vi) Offering expert advice to the United Nations Secretary-General on the rule of law and serving on the World Economic Forum's Global Agenda Council on Terrorism;

(vii) Close collaboration with, among other entities, UNODC, the Counter-Terrorism Implementation Task Force and the Centre on Global Counterterrorism Cooperation;

(c) Institute publications and website: in 2013, the Institute produced several papers and articles on a variety of subjects related to domestic policing, responding to transnational threats, counter-terrorism and international criminal justice. All publications are available on the Institute's website (www.issafrica.org), which receives over 2 million hits per month.

M. Korean Institute of Criminology

26. The Korean Institute of Criminology implements evidence-based criminal justice policy through scientific and systematic research for efficient crime prevention. The main activities of the Institute in 2013 were as follows:

(a) The Virtual Forum against Cybercrime (VFAC) is a programme that contributes to the prevention of cybercrime through the provision of training and knowledge management services and focuses heavily on international cooperation. During the reporting period, the training programme in Thailand was completed. The VFAC website was upgraded to increase the efficacy of the programme. Version 2.0 of the training website builds on the content and experience gathered by the Institute in knowledge management and online training to provide a platform suited to current and future requirements. VFAC 2.0 makes the resources provided by the Institute in combating cybercrime more open and more accessible. The newsletter was further developed and renamed *The VFAC Review* to reflect the increasing importance of the publication. A bimonthly print version of the publication has been developed. These tools will allow the VFAC programme to continue to assist in the development of cybercrime research and countermeasures;

(b) On 20 June, the Institute hosted the first regional conference of the World Crime Forum in Seoul, in association with the International Society for Criminology, whose main theme was "Information society and cybercrime: challenges for criminology and criminal justice". The Forum, attended by scholars and practitioners in the field of crime prevention and criminal justice in the Asian region, including 12 cybercrime experts as presenters, provided an opportunity for participants to discuss the information society and cybercrime in an atmosphere of limited formality and structure in order to stimulate interaction among participants;

(c) The Institute held several academic seminars and conferences, including the First Northeast Asian Forum for Criminal Justice held from 5 to 9 August in Yinbin, China. The Forum was organized into six sessions, in which a total of 25 presentations were given on various topics including transnational organized crime and its countermeasures, recent trends in international criminal justice policies, and measures to reinforce mutual legal assistance among North-East Asian countries. The Institute organized five sessions jointly with the Korean Society of Criminology in America during the sixty-ninth annual meeting of the American Society of Criminology, held in November. The Institute also developed its research and academic activities through participation in several international events and the signing of memorandums of understanding with academic institutions and governmental and non-governmental organizations worldwide;

(d) Major research projects implemented by the Institute include:

(i) Social network services and crime: analysis and responses;

(ii) Survey and analysis of immigration control law for enhancing human rights;

(iii) Victimization and protection of Korean nationals in Viet Nam and Malaysia;

(iv) A study on juvenile felony in the Republic of Korea.

N. Basel Institute on Governance

27. The Basel Institute on Governance seeks to counter corruption and financial crimes and improve the quality of governance worldwide. The Institute's activities in 2013 included the following:

(a) The Institute's International Centre for Asset Recovery implemented three national training programmes in financial investigation and asset recovery for Egypt (a "train-the-trainer" programme), Romania and Botswana and one regional programme encompassing countries from the Middle East and North Africa: Egypt, Iraq, Libya, Morocco, South Sudan, Tunisia and Yemen. In total, the Centre trained some 260 trainees in 2013. The programmes seek to strengthen the countries' operational capacities in recovering stolen assets, with an emphasis on financial investigations, asset tracing techniques and mutual legal assistance. Each training programme is custom-designed to the specific needs of each country. For the first time, the Centre's training programme was delivered with assistance from local trainers from Egypt who had been trained by the Centre throughout the year, thus providing an excellent case of South-South cooperation.

(b) The Centre's engagement in asset recovery casework substantially increased in 2013. By the end of 2013, the Centre was assisting several countries of the Middle East, South East Asia, Central Asia, East Africa, Southern Africa and South America in a total of 8 cases by facilitating mutual legal assistance and helping law enforcement authorities in devising investigative and prosecutorial strategies. The Centre receives core funding from Liechtenstein, Switzerland and the United Kingdom;

(c) In the area of public governance, a major project was carried out in Indonesia with a grant from the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) to provide capacity-building assistance to Indonesia's Corruption Eradication Commission. The focus was on strengthening capacity to monitor prevention activities and developing and implementing a multimedia approach to reach out to communities with corruption advocacy and education measures. In addition, the Institute partnered with the United Nations Development Programme on a research project on the potential of community-based participatory approaches for strengthening anti-corruption efforts, an initiative which focused on case studies in Ghana, Papua New Guinea, the Philippines and Serbia. In the context of these applied research activities, the Institute developed and now offers a new curriculum for a 2-3 day workshop on quantitative and qualitative research methods on corruption and their application, designed to provide professionals with conceptual and methodological tools to undertake corruption research applicable to different topics, contexts and aims;

(d) In the area of corporate governance and collective action, in July, the Institute's International Centre for Collective Action, through a competitive tender process, was awarded the mandate to develop and maintain the Business 20 (B20) Collective Action Hub on Anti-Corruption, in partnership with the Global Compact of the United Nations. Building on its extensive experience in facilitating and researching collective action initiatives and in advising corporations in anti-bribery and business ethics compliance systems, core activities of the International Centre for Collective Action and the B20 Collective Action Hub include the development

of an interactive web-based information platform, the facilitation of concrete collective action initiatives worldwide and the generation of in-depth knowledge products, practical tools and a comprehensive database on collective action. The Institute enjoys the support of the International Anti-Corruption Academy, the Organization for Economic Cooperation and Development, TRACE International, Transparency International, the World Economic Forum and the University of San Andres of Argentina in implementing this programme;

(e) At the fifth session of the Conference of States Parties to the United Nations Convention against Corruption, held in Panama City in November 2013, the Institute launched its new publication, *Emerging Trends in Asset Recovery*.

O. College for Criminal Law Science

28. In 2013, the College for Criminal Law Science, which is committed to promoting the rule of law, contributing to peace and development and facilitating exchange and cooperation on crime prevention and criminal justice between China, United Nations agencies and other countries, conducted the following activities:

(a) Training. In order to facilitate exchanges and communication between academics and legal practitioners, training activities were carried out in Guangdong Provincial Higher People's Court, Henan Provincial Higher People's Court, Tianjing Higher People's Court on minor criminal justice, sentencing, evidence and the application of law and the policy of balancing severity and leniency in capital cases, by giving lessons, lectures and holding workshops. Hundreds of judges, prosecutors and lawyers participated in the training activities. The College sent a delegation composed of academics and representatives from the Supreme People's Court and the Supreme People's Procuratorate of China to study sentencing, use of long imprisonment and defence skills in European Union countries;

(b) Seminars and conferences. The College held several seminars and conferences on criminal law, criminal justice and international cooperation in criminal matters, such as the International Conference for Contemporary Punishment Reform, held in Beijing from 16 to 18 August, the Fifth National Criminal Justice Forum: Challenges in Corruption Crimes and International Cooperation, held in Suzhou, Jiangsu province, on 20 and 21 August, and the Seminar on the Protection of Minors in Criminal Justice, held in Kunming, Yunnan province on 26 and 27 October. Judges, prosecutors, lawyers and academics were invited to these seminars and conferences, including representatives of the institutes of the United Nations crime prevention and criminal justice programme network. Representatives of the College also participated in various activities related to criminal justice;

(c) Projects. The College undertook a number of projects on criminal justice, human rights protection, specific crimes such as medical crimes, crime statistics and community corrections, including on judicial constraints on the use of the death penalty (2012-2015), supported by the European Union Human Rights and Democracy Project. This constitutes the basis for the project focused on studies on community corrections law. Following more than 10 years of pilot implementation, China is drafting a law on community corrections, an approach that has proven

helpful in protecting human rights in criminal justice and in reintegrating offenders in the community. The project is of great significance;

(d) Publications. In addition to papers and monographs by its members, in 2013, the College continued to publish the following journals and periodicals:

(i) *Criminal Law Journal*, an academic publication designed to collect the latest high-quality research on criminal law, criminology, international cooperation in criminal matters;

(ii) *Criminal Law Review*, the official journal of the China Association of Criminal Law, edited by the College;

(iii) *Studies on Criminal Judgements*, a periodical that reflects advances and challenges in current criminal cases and offers suggestions;

(iv) *Report on Developments in Criminal Law and Criminal Justice*, designed to present developments in the field of criminal law and criminal justice.

IV. Activities of the International Scientific and Professional Advisory Council

29. The mission of the International Scientific and Professional Advisory Council is to assist the United Nations in the formulation and implementation of criminal justice-related programmes, to conduct or collaborate in scientific research as a basis for policy development and action, and to provide access to the services and expertise of the constituent organizations. In 2013, the Council implemented the following activities:

(a) The organization of a workshop on "Emerging forms of crime that have an impact on the environment: lessons learned", held in Vienna during the twenty-second session of the Commission on Crime Prevention and Criminal Justice, which was coordinated in cooperation with all institutes of the United Nations crime prevention and criminal justice programme network, thus providing additional knowledge and awareness;

(b) The Council continued to devote efforts to the topic of trafficking in cultural property, namely:

(i) Together with the Catholic University of the Sacred Heart, Milan, the Council organized a conference on "Prevention and the fight against illicit trafficking in cultural property: the national and international dimension". The aim was to provide a forum in which academics and practitioners could meet, exchange ideas and forge partnerships. The results and recommendations of the conference will be taken into consideration in preparing the workshop for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015;

(ii) The annual Advisory Council conference on "Protecting cultural heritage as a common good of humanity: a challenge for criminal justice", co-organized with UNODC, was held in December 2013. The indispensable role of crime prevention and criminal justice responses in combating all forms of trafficking in cultural property and related offences was explored in a comprehensive and

effective manner, including the need for States to consider reviewing their legal frameworks, in order to provide the most extensive international cooperation to fully address trafficking in cultural property. Participants also explored the possibility of national jurisdictions making trafficking in cultural property, including stealing and looting at archaeological and other cultural sites, a serious crime, as well as fully utilizing the United Nations Convention against Organized Crime for the purpose of extensive international cooperation;

(iii) The Council addressed other issues, such as the need for credible and comparable data on different aspects of crimes against cultural property, including the links with transnational organized crime and the laundering of illicit proceeds, as well as the benefits of collecting and comparing best practices in both the public and in the private sector.

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Item 6 of the provisional agenda*
Use and application of United Nations standards and norms in crime prevention and criminal justice

Outcome of the open-ended intergovernmental expert group on the development of a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice

Report of the Secretary-General

I. Introduction

1. On 18 December 2013, the General Assembly adopted resolution 68/189, entitled "Model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice", in which it requested the United Nations Office on Drugs and Crime to convene a meeting of an open-ended intergovernmental expert group to develop a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, to be considered by the Commission on Crime Prevention and Criminal Justice at its twenty-third session, in May 2014.

2. The meeting of the open-ended intergovernmental expert group was hosted by the Government of Thailand and held in Bangkok from 18 to 21 February 2014.

* E/CN.15/2014/1.

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II. Organization of the meeting

A. Bureau of the meeting

3. The following officers were elected by consensus:

Chair:	Princess Bajrakitiyabha Mahidol (Thailand)
First Vice-Chair:	Monzer Selim (Egypt)
Second Vice-Chair:	Artjom Barkov (Russian Federation)
Third Vice-Chair:	Maria Elena Rosero Tenorio (Ecuador)
Rapporteur:	Gerold Vollmer (Austria)

B. Attendance

4. The meeting was attended by experts from 27 countries. The Special Representative of the Secretary-General on Violence against Children also participated in the meeting, as did observers from the following organizations: United Nations Children's Fund, Office of the United Nations High Commissioner for Human Rights, International Organization for Migration, International Centre for Criminal Law Reform and Criminal Justice Policy, International Centre for Missing and Exploited Children, International Centre for the Prevention of Crime, International Juvenile Justice Observatory and Plan International.

III. Outcome of the meeting

5. The expert group developed a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, as contained in the annex to the present report. It agreed on submitting the draft set of model strategies and practical measures to the Commission on Crime Prevention and Criminal Justice at its twenty-third session for its consideration, with a view to their adoption by the General Assembly. At its final session, the expert group considered and adopted its report (UNODC/CCPCJ/EG.7/2014/4).

Annex

Draft United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice

Introduction

1. The draft United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice have been prepared to help Member States to address the need for integrated strategies for violence prevention and child protection, thereby offering children the protection to which they have an unqualified right.

2. The Model Strategies and Practical Measures take into consideration the complementary roles of the justice system on the one hand, and the child protection, social welfare, health and education sectors on the other, in creating a protective environment and in preventing and responding to violence against children. They draw attention to the need for Member States to ensure that criminal law is used appropriately and effectively to criminalize various forms of violence against children, including forms of violence prohibited by international law. The Model Strategies and Practical Measures will enable criminal justice institutions to strengthen and focus their efforts to prevent and respond to violence against children, and to increase their diligence in investigating, convicting and rehabilitating perpetrators of violent crimes against children.

3. The Model Strategies and Practical Measures take into account the fact that children who are alleged as, accused of or recognized as having infringed the criminal law, especially those who are deprived of their liberty, face a high risk of violence. Because special attention must be paid to the especially vulnerable situation of these children, the Model Strategies and Practical Measures are aimed at not only improving the effectiveness of the criminal justice system in preventing and responding to violence against children, but also at protecting children against any violence that may result from their contact with the justice system.

4. The Model Strategies and Practical Measures reflect the fact that some of the perpetrators of violence against children are themselves children and often victims of violence. The need to protect child victims in such instances cannot negate the rights of all of the children involved to have their best interests considered as a matter of primary importance.

5. The Model Strategies and Practical Measures are grouped into three broad categories: general prevention strategies to address violence against children as part of broader child protection and crime prevention initiatives; strategies and measures to improve the ability of the criminal justice system to respond to crimes of violence against children and to protect child victims effectively; and strategies and measures to prevent and respond to violence against children in contact with the justice system. Good practices are set forth, to be considered and implemented in accordance with international human rights law. Member States should be guided by the Model Strategies and Practical Measures to the maximum extent of their

available resources and, where needed, within the framework of international cooperation.

Definitions

6. For the purposes of the Model Strategies and Practical Measures:

(a) "Child" means, as in article 1 of the Convention on the Rights of the Child, "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier";

(b) A "child protection system" refers to the national legal framework, formal and informal structures, functions and capacities to prevent and respond to violence against and abuse, exploitation and neglect of children;

(c) "Children in contact with the justice system" refers to children who come into contact with the justice system as victims or witnesses, children alleged as, accused of or recognized as having infringed the penal law, or children who are in any other situation requiring legal proceedings, for example regarding their care, custody or protection, including cases involving children of incarcerated parents;

(d) "Child-sensitive" denotes an approach that takes into consideration the child's right to protection and individual needs and views in accordance with the age and maturity of the child;

(e) "Child victims" denotes children who are victims of crime regardless of their role in the offence or in the prosecution of the alleged offender or groups of offenders;

(f) "Crime prevention" comprises strategies and measures that seek to reduce the risk of crimes occurring and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence the multiple causes of crime;

(g) "Criminal justice system" refers to laws, procedures, professionals, authorities and institutions that apply to victims, witnesses and persons alleged as, accused of or recognized as having infringed the law;

(h) "Deprivation of liberty" means any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which that person is not permitted to leave at will, by order of any judicial, administrative or other public authority;

(i) "Diversion" refers to a process for dealing with children alleged as, accused of or recognized as having infringed the penal law as an alternative to judicial proceedings, with the consent of the child and the child's parents or legal guardian;

(j) "Informal justice system" refers to the resolution of disputes and the regulation of conduct by adjudication or with the assistance of a neutral third party that is not part of the judiciary as established by law and/or whose substantive, procedural or structural foundation is not primarily based on statutory law;

(k) A "juvenile justice system" is comprised of laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically

applicable to children alleged as, accused of or recognized as having infringed the law;

(l) "Legal aid" includes legal advice, assistance and representation for persons detained, arrested or imprisoned as a result of being suspected or accused of or charged with a criminal offence, and for victims and witnesses in the criminal justice process, which is provided at no cost for those without sufficient means or when the interests of justice so require. Furthermore, "legal aid" is intended to include the concepts of legal education, access to legal information and other services provided for persons through alternative dispute resolution mechanisms and restorative justice processes;

(m) A "protective environment" is an environment conducive to ensuring to the maximum extent possible the survival and development of the child, including physical, mental, spiritual, moral, psychological and social development, in a manner compatible with human dignity;

(n) "Restorative justice programme" means any programme that uses restorative processes and seeks to achieve restorative outcomes;

(o) "Restorative process" means any process in which the victim and the offender and, where appropriate, any other individuals or community members affected by a crime participate actively together in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles;

(p) "Violence" means "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse", as listed in article 19, paragraph 1, of the Convention on the Rights of the Child.

Guiding principles

7. In implementing the Model Strategies and Practical Measures at the national level, Member States should be guided by the following principles:

(a) That the inherent rights of the child to life, survival and development are protected;

(b) That the right of the child to have his or her best interests as the primary consideration in all matters involving or affecting him or her is respected, whether the child is a victim or a perpetrator of violence, as well as in all measures of prevention and protection;

(c) That every child is protected from all forms of violence without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

(d) That the right of the child to be informed of his or her rights, to be consulted and to express his or her views freely in all matters affecting him or her, is fully respected;

(e) That all strategies and measures to prevent and respond to violence against children are designed and implemented from a gender perspective specifically addressing gender-based violence;

(f) That the specific vulnerabilities of children and the situations they find themselves in, including children in need of special protection and children committing criminal offences under the age of criminal responsibility, should be addressed as part of comprehensive violence prevention strategies and identified as a priority for action;

(g) That measures to protect child victims of violence are non-coercive and do not compromise the rights of these children.

Part one

Prohibiting violence against children, implementing broad prevention measures and promoting research and data collection

8. Child protection should begin with the proactive prevention of violence and the explicit prohibition of all forms of violence. Member States have the obligation to take appropriate measures that effectively prohibit all forms of violence against children.

I. Ensuring the prohibition by law of all forms of violence against children

9. Recognizing the importance of the existence of a sound legal framework which prohibits violence against children and empowers authorities to respond appropriately to incidents of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure:

(a) That their laws are comprehensive and effective in prohibiting and eliminating all forms of violence against children, and that provisions that justify, allow for or condone violence against children or may increase the risk of violence against children are removed;

(b) That corporal punishment of children is prohibited and eliminated in schools and other settings.

10. Because a countless number of girls and boys fall victim to harmful practices undertaken under different pretexts or grounds, including female genital mutilation or cutting, forced marriage, breast ironing and witchcraft rituals, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To establish by law a clear and comprehensive prohibition of all harmful practices against children, supported by detailed provisions in relevant legislation to

secure the effective protection of girls and boys from those practices, to provide means of redress and to fight impunity;

(b) To remove from all national legislation any legal provisions that provide justification or allow for consent to harmful practices against children;

(c) To ensure that resorting to informal justice systems does not jeopardize children's rights or preclude child victims from accessing the formal justice system, and to establish the supremacy of international human rights law.

11. Recognizing the serious nature of many forms of violence against children and the need to criminalize these conducts, Member States should review and update their criminal law to ensure that the following acts are fully covered under their criminal law:

(a) Engaging in sexual activities with a child who is under the legal age of consent, ensuring as well that an appropriate "age of protection" or "legal age of consent", below which a child cannot legally consent to sexual activity, is set;

(b) Engaging in sexual activities with a child using coercion, force or threats, abusing a position of trust, authority or influence over a child, including within the family, and abusing a particularly vulnerable situation of a child, because of a mental or physical disability or a situation of dependence;

(c) Committing sexual violence against a child, including sexual abuse, sexual exploitation and sexual harassment through or facilitated by the use of new information technologies, including the Internet;

(d) The sale of or trafficking in children for any purpose and in any form;

(e) Offering, delivering or accepting, by whatever means, a child for the purpose of sexual exploitation of the child, transfer of organs of the child for profit or engagement of the child in forced labour;

(f) Offering, obtaining, procuring or providing a child for child prostitution;

(g) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing child pornography;

(h) Slavery or practices similar to slavery, debt bondage and serfdom and forced labour, including forced or compulsory recruitment of children for use in armed conflict;

(i) Committing gender-related violence against a child and, in particular, gender-related killing of girls.

II. Implementing comprehensive prevention programmes

12. General and context-specific measures should be developed by Member States to prevent violence against children. Prevention measures, building on a growing understanding of factors that give rise to violence against children and addressing the risks of violence to which children are exposed, should be part of a comprehensive strategy to eliminate violence against children. Criminal justice agencies, working together with, as appropriate, child protection, social welfare, health and education agencies and civil society organizations, should develop

effective violence prevention programmes as part of both broader crime prevention programmes and initiatives to build a protective environment for children.

13. Preventing the victimization of children through all available means should be recognized as a crime prevention priority. Member States are therefore urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To strengthen existing child protection systems and to help create a protective environment for children;

(b) To adopt measures to prevent violence within the family and the community, address cultural acceptance or tolerance of violence against children, including gender-related violence, and challenge harmful practices;

(c) To encourage and support the development and implementation at every level of government of comprehensive plans for the prevention of violence against children in all of its forms, based on in-depth analysis of the problem and incorporating:

(i) An inventory of existing policies and programmes;

(ii) Well-defined responsibilities for the relevant institutions, agencies and personnel involved in preventive measures;

(iii) Mechanisms for the appropriate coordination of preventive measures between governmental and non-governmental agencies;

(iv) Evidence-based policies and programmes that are continually monitored and carefully evaluated in the course of implementation;

(v) Parental capacity-building and family support as the primary preventive measures, while strengthening child protection in school and in the community;

(vi) Methods for effectively identifying, mitigating and reducing the risk of violence against children;

(vii) Public awareness-raising and community involvement in prevention policies and programmes;

(viii) Close interdisciplinary cooperation, with the involvement of all relevant agencies, civil society groups, local and religious leaders and, where relevant, other stakeholders;

(ix) Participation of children and families in policies and programmes for the prevention of criminal activities and victimization;

(d) To identify the specific vulnerabilities and risks faced by children in different situations and to adopt proactive measures to reduce those risks;

(e) To take appropriate actions to support and protect all children, in particular children in different situations of vulnerability and children in need of special protection;

(f) To be guided by the Guidelines for the Prevention of Crime[1] and play a leading role in developing effective crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

14. The risk of violence against children committed by children should be addressed by specific prevention measures, including measures:

(a) To prevent physical, psychological and sexual violence exerted, often through bullying, by children against other children;

(b) To prevent the violence sometimes exerted by groups of children, including violence by youth gangs;

(c) To prevent the recruitment, use and victimization of children by youth gangs;

(d) To identify and protect children, in particular girls, who are linked to gang members and who are vulnerable to sexual exploitation;

(e) To encourage law enforcement agencies to use multi-agency intelligence to proactively profile local risk and, accordingly, to direct enforcement and disruption activity.

15. The risk of violence associated with trafficking in children and various forms of exploitation by criminal groups should be addressed by specific prevention measures, including measures:

(a) To prevent the recruitment, use and victimization of children by criminal groups, terrorist entities or violent extremist groups;

(b) To prevent the sale of children, trafficking in children, child prostitution and child pornography;

(c) To prevent the production, possession and dissemination of images and all other materials that depict, glorify or incite violence against children, including when perpetrated by children, particularly through information technologies, such as the Internet, in particular, social networking environments.

16. Broad public education and awareness campaigns are required. Member States, in cooperation with educational institutions, non-governmental organizations, relevant professional associations and the media, are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To implement and support effective public awareness and public education initiatives that prevent violence against children by promoting respect for their rights and by educating their families and communities about the harmful impact of violence;

(b) To raise awareness of how to prevent and respond to violence against children among persons who have regular contact with children in the justice, child protection, social welfare, health and education sectors and in areas relating to sport, culture and leisure activities;

(c) To encourage and support inter-agency cooperation in implementing violence prevention activities and programmes, planning and delivering public information campaigns, training professionals and volunteers, gathering data on the incidence of violence against children, monitoring and evaluating the effectiveness

[1] Economic and Social Council resolution 2002/13, annex.

of programmes and strategies and exchanging information on good practices and lessons learned;

(d) To encourage the private sector, in particular the information and communications technology sector, the tourism and travel industry and the banking and finance sectors, and civil society, to participate in the development and implementation of policies to prevent the exploitation and abuse of children;

(e) To encourage the media to contribute to community efforts to prevent and respond to violence against children and to promote changes in social norms that tolerate such violence, and to encourage the establishment of media-led ethical guidelines that will allow child-friendly coverage and reportage on cases involving child victims of abuse, exploitation, neglect and discrimination, taking into consideration the right of children to privacy;

(f) To involve children, their families, communities, local leaders, religious leaders and criminal justice and other relevant professionals in discussing the impact and detrimental effects of violence against children and ways to prevent violence and eliminate harmful practices;

(g) To challenge attitudes that condone or normalize violence against children, including the tolerance and acceptance of corporal punishment and harmful practices, and the acceptance of violence.

17. In order to address the vulnerability and the specific risks of violence faced by unaccompanied children, migrant children and children who are refugees or asylum seekers, Member States are urged, as appropriate and without prejudice to their obligations under international law:

(a) To ensure that these children have access to independent assistance, advocacy and advice, that they are always placed in appropriate accommodation and treated in a manner that is fully compatible with their best interests, that they are separated from adults when necessary to protect them and, when applicable, to sever relationships with smugglers and traffickers, and that a legally appointed representative is available from the moment an unaccompanied child is detected by the authorities;

(b) To conduct regular analyses of the nature of the threats faced by these children and to assess their needs for assistance and protection;

(c) To uphold the principle of burden sharing and solidarity with the host country and to enhance international cooperation.

III. Promoting research and data collection, analysis and dissemination

18. Member States, the institutes of the United Nations crime prevention and criminal justice programme network, relevant entities of the United Nations system, other relevant international organizations, research institutes, non-governmental organizations and professional associations are urged, as appropriate:

(a) To set up and strengthen mechanisms for the systematic and coordinated collection of data on violence against children, including on violence against children in contact with the justice system;

(b) To monitor and publish periodic reports on cases of violence against children reported to the police and other criminal justice agencies, including the number of cases, apprehension or arrest and clearance rates, prosecution and case disposition with regard to the alleged offenders and the prevalence of violence against children and, in so doing, to make use of data derived from population-based surveys. The reports should disaggregate data by type of violence and include, for example, information on the age and sex of the alleged offender and his or her relationship to the victim;

(c) To develop a multilevel system of reporting, starting from the most basic unit of government to the national level and to allow, in accordance with national legislation, the exchange of relevant information, statistics and data among all relevant institutions to help ensure comprehensive data gathering for policy and programme development that will promote child protection;

(d) To develop population-based surveys and child-sensitive methodologies aimed at collecting data regarding children, including crime and victimization surveys, to allow for assessment of the nature and extent of violence against children;

(e) To develop and implement indicators relating to the performance of the justice system in preventing and responding to violence against children;

(f) To develop and monitor indicators relating to the prevalence of violence against children in contact with the justice system;

(g) To evaluate the efficiency and effectiveness of the justice system in meeting the needs of child victims of violence and preventing such violence, including with regard to the way in which the justice system treats child victims of violence, the use it makes of different intervention models and the degree to which it cooperates with other agencies responsible for the protection of children, and also to evaluate and assess the impact of current legislation, rules and procedures relating to violence against children;

(h) To collect, analyse and disseminate data on independent inspections of places of detention, access to complaint mechanisms by children in detention and outcomes of complaints and investigations in accordance with the obligations of States under international human rights law;

(i) To use research studies and data collection to inform policy and practice and to exchange and disseminate information concerning successful violence-prevention practices;

(j) To encourage and provide sufficient financial support for research on violence against children;

(k) To ensure that data, periodic reports and research are aimed at supporting the efforts of Member States to address violence against children, and are used in the framework of constructive cooperation and dialogue with and among Member States.

Part two

Enhancing the ability and capacity of the criminal justice system to respond to violence against children and protect child victims

IV. Establishing effective detection and reporting mechanisms

19. In order to respond to the need to detect and report acts of violence against children, Member States are urged, as appropriate:

(a) To ensure that measures are taken to identify risk factors for different types of violence and identify signs of actual violence in order to trigger appropriate intervention as early as possible;

(b) To ensure that criminal justice professionals who routinely come into contact with children in the course of their work are aware of risk factors and indicators of various forms of violence, in particular at the national level, and that they have received guidance and are trained on how to interpret such indicators and have the necessary knowledge, willingness and ability to take appropriate action, including the provision of immediate protection;

(c) To legally require professionals who routinely come into contact with children in the course of their work to notify appropriate authorities if they suspect that a child is, or is likely to become, a victim of violence;

(d) To ensure that safe child- and gender-sensitive approaches, procedures, and complaint, reporting and counselling mechanisms are established by law, are in conformity with the obligations of Member States under the relevant international human rights instruments, take into account relevant international standards and norms on crime prevention and criminal justice and are easily accessible to all children and their representative or a third party without fear of reprisal or discrimination;

(e) To ensure that individuals, and in particular children, reporting in good faith alleged incidents of violence against children are protected against all forms of reprisal;

(f) To require by law that Internet service providers, mobile telephone companies, search engines, public Internet facilities and others report any case of child pornography to the police, block access to offending websites and keep records, in accordance with the law, and preserve such material as evidence in their servers for a period of time determined by law for the purpose of investigation and prosecution.

V. Offering effective protection to child victims of violence

20. In order to more effectively protect child victims of violence through the criminal justice process and avoid their secondary victimization, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to take appropriate measures:

(a) To ensure that laws clearly define the roles and responsibilities of government departments and define standards for the actions of other institutions, services and facilities responsible for the detection of violence against children and the care and protection of children, in particular in cases of domestic violence;

(b) To ensure that police and other law enforcement agencies have, with judicial authorization where required by national law, adequate powers to enter premises and conduct arrests in cases of violence against children and to take immediate measures to ensure the safety of the children;

(c) To ensure that police, prosecutors, judges and all other relevant professionals who may be in contact with child victims respond promptly to incidents of violence against children and that relevant cases are managed expeditiously and efficiently;

(d) To ensure that criminal justice and other relevant professionals, in dealing with cases of child victims of violence, pay particular attention to child- and gender-sensitive approaches, including through the use of modern technologies in different stages of criminal investigations and criminal proceedings;

(e) To ensure that national standards, procedures and protocols are developed and implemented among relevant national actors in order to respond with sensitivity to child victims of violence whose physical or psychological integrity remains at serious risk and requires their urgent removal from the dangerous context, and that temporary protection and care are provided in an appropriate place of safety pending a full determination of the best interests of the child;

(f) To ensure that the police, courts and other competent authorities have the legal authority to issue and enforce protection measures such as restraining or barring orders in cases of violence against children, including removal of the perpetrator from the domicile and prohibiting further contact with the victim and other affected parties inside and outside the domicile, as well as to impose penalties for breaches of those orders in accordance with national legislation, and to ensure that, when the child victim of violence remains under the care and protection of the non-abusive parent, the parent can safeguard the child and that such protective measures are not dependent on the initiation of criminal proceedings;

(g) To ensure that a registration system is established for judicial protection and restraining or barring orders, where such orders are permitted by national law, so that police and other criminal justice officials can quickly determine whether such an order is in force;

(h) To ensure that an informal or mediated settlement of cases involving violence against children takes place only when it is in the best interests of the child, and does not involve harmful practices, such as forced marriage, taking into account any power imbalance and the vulnerability of the child or his or her family

in consenting to a settlement, with due regard for any future risk to the safety of the child or other children;

(i) To ensure that child victims of violence and their families have access to appropriate mechanisms or procedures in order to obtain redress and reparation, including from the State, and that relevant information about those mechanisms is publicized and easily accessible.

21. Recognizing the fact that, for prosecutions to be effective, it is often necessary for child victims of violence to participate in the criminal justice process, and that in some jurisdictions children can be required or compelled to testify and that these children are vulnerable and in need of special protection, assistance and support in order to prevent further hardship and trauma that may result from their participation in the criminal justice process, Member States are required in this regard to ensure that the child's privacy is fully respected at all stages of the proceedings and are urged, as appropriate:

(a) To ensure the availability for children of special services, physical and mental health care and protection that take into account gender and are appropriate to the age, level of maturity and needs of the child in order to prevent further hardship and trauma and promote the physical and psychological recovery and social reintegration of child victims of violence;

(b) To ensure that children who have been subjected to sexual abuse, and especially girls who have become pregnant or children living with HIV/AIDS or other sexually transmitted diseases as a result of the abuse, receive age-appropriate medical advice and counselling and are provided with the requisite physical and mental health care and support;

(c) To ensure that child victims receive assistance from support persons commencing at the initial report and continuing until such services are no longer required;

(d) To ensure that professionals who are responsible for assisting child victims make every effort to coordinate support to avoid unnecessary procedures and limit the number of interviews.

VI. Ensuring effective investigation and prosecution of incidents of violence against children

22. In order to effectively investigate and prosecute incidents of violence against children and bring the perpetrators to justice, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that the primary responsibility for initiating investigations and prosecutions lies with the police, the prosecution and other competent authorities and does not require an official complaint to be filed by the child victim of violence or a parent or legal guardian of the child;

(b) To adopt and implement policies and programmes aimed at guiding all decisions concerning the prosecution of offences of violence against children and ensuring the fairness, integrity and effectiveness of such decisions;

(c) To ensure that the applicable laws, policies, procedures, programmes and practices related to violence against children are consistently and effectively implemented by the criminal justice system;

(d) To ensure that child-sensitive investigation procedures are adopted and implemented so as to ensure that violence against children is correctly identified and to help provide evidence for administrative, civil and criminal proceedings, while according due assistance to children with special needs;

(e) To develop and implement policies and appropriate responses regarding the investigation and collection of evidence, in particular bodily samples, that take into account the needs and views of child victims of violence in accordance with the age and maturity of child victims, respect their dignity and integrity and minimize intrusion into their lives, while abiding by national standards for the collection of evidence;

(f) To ensure that the persons investigating alleged incidents of violence against children have the duty, powers and necessary authorization to obtain all the information necessary to the investigation, in accordance with criminal procedure as laid out in national law, and have at their disposal all the necessary budgetary and technical resources for effective investigation;

(g) To ensure that great care is taken to avoid subjecting a child victim of violence to further harm through the process of the investigation, including by inviting and giving due weight to the child's views in accordance with the age and maturity of the child and adopting child-sensitive and gender-sensitive investigation and prosecution practices;

(h) To ensure that decisions on the apprehension or arrest, detention and terms of any form of release of an alleged perpetrator of violence against a child take into account the need for the safety of the child and others related to the child, and that such procedures also prevent further acts of violence.

VII. Enhancing cooperation among various sectors

23. Acknowledging the complementary roles of the criminal justice system, child protection agencies, health, education and social service sectors and, in some cases, informal justice systems in creating a protective environment and preventing and responding to incidents of violence against children, Member States are urged, as appropriate:

(a) To ensure effective coordination and cooperation among the criminal justice, child protection, social welfare, health and education sectors in detecting, reporting and responding to violence against children and protecting and assisting child victims;

(b) To establish stronger operational links, particularly in emergency situations, between health and social service agencies, both public and private, and criminal justice agencies for the purposes of reporting, recording and responding appropriately to acts of violence against children, while protecting the privacy of child victims of violence;

(c) To establish stronger links between informal justice systems and justice and child protection institutions;

(d) To develop information systems and inter-agency protocols to facilitate the exchange of information and enable cooperation in identifying incidents of violence against children, responding to them, protecting child victims of violence and holding perpetrators accountable, in accordance with national laws on data protection;

(e) To ensure that violent acts against children, when suspected by health and social services or child protection agencies, are promptly reported to the police and other law enforcement agencies;

(f) To promote the establishment of specialized units specifically trained to deal with the complexities and sensitivities relating to child victims of violence, from which victims can receive comprehensive assistance, protection and intervention services, including health and social services, legal aid and police assistance and protection;

(g) To ensure that adequate medical, psychological, social and legal services sensitive to the needs of child victims of violence are in place to enhance the criminal justice management of cases involving violence against children, to encourage the development of specialized health services, including comprehensive, free and confidential forensic examinations by trained health providers and appropriate treatment, including HIV-specific treatment, and to facilitate and support inter-agency referrals of child victims for services;

(h) To provide support to children whose parents or caregivers are deprived of liberty in order to prevent and address the risk of violence such children may be exposed to as a result of the parents' or caregiver's actions or situation.

VIII. Improving criminal proceedings in matters involving child victims of violence

24. With respect to criminal proceedings in matters involving child victims of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that comprehensive services are provided and protection measures are taken to ensure the safety, privacy and dignity of victims and their families at all stages of the criminal justice process, without prejudice to the ability or willingness of the victim to participate in an investigation or prosecution, and to protect them from intimidation and retaliation;

(b) To ensure that the child's views are given due weight in accordance with the age and maturity of the child, that the child is provided the opportunity to participate fully in any judicial and administrative proceedings, that every child is treated as a capable witness and that his or her testimony is not presumed to be invalid or untrustworthy by reason of the child's age alone, as long as the court or other competent authority deems that his or her age and maturity allow the giving of intelligible and credible testimony, with or without communication aids and other assistance;

(c) To ensure that child victims of violence cannot be required to testify as part of the criminal justice process without the knowledge of their parents or legal guardians, that a child's refusal to testify does not constitute a criminal or other offence and that child victims of violence are able to testify in criminal proceedings through adequate measures and child-friendly practices that facilitate such testimony by protecting their privacy, identity and dignity, ensuring their safety before, during and after legal proceedings and avoiding secondary victimization while respecting their need and right to be heard;

(d) To ensure that child victims of violence, their parents or legal guardians and legal representatives, from the first contact with the justice system and throughout the judicial proceedings, are promptly and adequately informed of, inter alia, the rights of the child, the relevant procedures, available legal aid and the progress and disposition of the specific case;

(e) To ensure that the child victim's parents or legal guardian and, where appropriate, a child protection professional accompany the child during interviews conducted as part of the investigation and during trial proceedings, inter alia, while testifying as a witness, except in the following circumstances, as dictated by the best interests of the child:

(i) The parent(s) or the legal guardian are the alleged perpetrator(s) of the offence committed against the child;

(ii) The court deems that it is not in the best interests of the child to be accompanied by his or her parent(s) or legal guardian, including on the basis of credible concern expressed by the child;

(f) To ensure that proceedings relevant to the testimony of the child are explained to the child and conducted in language that is simple and comprehensible to the child and that interpretation into language that the child understands is made available;

(g) To protect the privacy of child victims of violence as a matter of primary importance, to protect them from undue exposure to the public, for example by excluding the public and the media from the courtroom during the child's testimony, and to protect information relating to a child's involvement in the justice process by maintaining confidentiality and restricting disclosure of information that may lead to identification of the child;

(h) To ensure, within the framework of national legal systems, that criminal proceedings involving child victims take place as soon as possible, unless delays are in the child's best interest;

(i) To provide for the use of child-sensitive procedures, including interview rooms designed for children, interdisciplinary services for child victims integrated within the same location, modified court environments that take child witnesses into consideration, recesses during a child's testimony, hearings scheduled at times of day appropriate to the age and maturity of the child, an appropriate notification system to ensure the child goes to court only when necessary and other appropriate measures to facilitate the child's testimony;

(j) To ensure that, when child victims of violence may be the subject of intimidation, threats or harm, appropriate conditions are put in place to ensure their safety and that protective measures are taken, such as:

(i) Preventing direct contact between a child victim and the accused at any point during the criminal justice process;

(ii) Requesting restraining orders from a competent court, supported by a registry system;

(iii) Requesting a pretrial detention order for the accused from a competent court, with "no contact" bail conditions;

(iv) Requesting an order from a competent court to place the accused under house arrest if necessary;

(v) Requesting protection for a child victim by the police or other relevant agencies and safeguarding the whereabouts of the child from disclosure.

25. Recognizing the serious nature of violence against children and taking into account the severity of the physical and psychological harm caused to child victims, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure, when informal justice systems are resorted to, that violence against children is appropriately denounced and deterred, that perpetrators of violence against children are held accountable for their actions and that redress, support and compensation for child victims is provided.

26. Recognizing that measures to protect and assist child victims of violence must continue after the person accused of that violence has been convicted and sentenced, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure the right of a child victim of violence, or his or her parents or legal guardian, to be notified of the offender's release from detention or imprisonment if they so wish;

(b) To develop, implement and evaluate treatment and reintegration and rehabilitation programmes for those convicted of violence against children that prioritize the safety of victims and the prevention of recidivism;

(c) To ensure that judicial and correctional authorities, as appropriate, monitor compliance by perpetrators with any treatment or other court order;

(d) To ensure that the risk to a child victim of violence and the best interest of that child are considered at the time of making decisions concerning the release of the offender from detention or imprisonment or the re-entry of the offender into society.

IX. Ensuring that sentencing reflects the serious nature of violence against children

27. Recognizing the serious nature of violence against children, while taking into account the fact that the perpetrators of that violence may also be children, Member

States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that offences involving violence against children are, by law, punishable by appropriate penalties that take into account their grave nature;

(b) To ensure that national law takes into account specific factors which may aggravate a crime, including the age of the victim, the fact that the victim is severely handicapped mentally or intellectually, repeated violent acts, abuse of a position of trust or authority and perpetration of violence against a child in a close relationship with the offender;

(c) To ensure that people who commit acts of violence against children while under the influence of alcohol, drugs or other substances are not exempt from criminal responsibility;

(d) To ensure that individuals can be prohibited or restrained by a court order or other means, within the framework of the national legal system, from harassing, intimidating or threatening children;

(e) To ensure that safety risks, including the vulnerability of victims, are taken into account in decisions concerning non-custodial sentences, bail, conditional release, parole or probation, especially when dealing with repeat and dangerous offenders;

(f) To make available to the courts, through legislation, a full range of sentencing dispositions to protect the victim, other affected persons and society from further violence, and to rehabilitate the perpetrator, as appropriate;

(g) To review and update national law to ensure that the decisions made by the courts in cases involving violent offences against children:

(i) Denounce and deter violence against children;

(ii) Hold offenders accountable, with due regard to their age and maturity, for their acts involving violence against children;

(iii) Promote victim and community safety, including by separating the offender from the victim and, if necessary, from society;

(iv) Allow for the severity of the physical and psychological harm caused to the victim to be taken into consideration;

(v) Take into account the impact on victims and, if affected, their family members, of sentences imposed on perpetrators;

(vi) Provide reparations for harm caused as a result of the violence;

(vii) Promote the rehabilitation of the perpetrator, including by promoting a sense of responsibility in offenders and, where appropriate, rehabilitating and reintegrating perpetrators into the community.

X. Strengthening capacity and training of criminal justice professionals

28. Recognizing the responsibility of criminal justice professionals to prevent and respond to violence against children and to protect child victims of violence, as well as the need to facilitate and support this role, Member States are urged, as appropriate:

(a) To take measures and allocate adequate resources to develop the capacity of professionals within the criminal justice system to actively prevent violence against children and to protect and assist child victims of violence;

(b) To enable close cooperation, coordination and collaboration between criminal justice officials and other relevant professionals, especially those from the child protection, social welfare, health and education sectors;

(c) To design and implement training programmes for criminal justice professionals on the rights of the child, in particular on the Convention on the Rights of the Child and international human rights law, and to provide information on appropriate ways to deal with all children, in particular those who might be subject to discrimination, and to educate criminal justice professionals about the stages of child development, the process of cognitive development, the dynamics and nature of violence against children, the difference between regular peer groups and gangs, and the appropriate management of children who are under the influence of alcohol or drugs;

(d) To design and deliver guidance, information and training to informal justice system actors in order to ensure that their practices, legal interpretations and decisions comply with international human rights law and effectively protect children against all forms of violence;

(e) To design and implement mandatory cross-cultural, gender- and child-sensitivity training modules for criminal justice professionals on the unacceptability of all forms of violence against children and on the harmful impact on and consequences for all those who experience such violence;

(f) To ensure that criminal justice professionals receive adequate training and continuing education on all relevant national laws, policies and programmes, as well as relevant international legal instruments;

(g) To promote the development and use of specialized expertise among criminal justice professionals, including through the establishment, where possible, of specialized units or personnel and specialized courts or dedicated court time, and to ensure that all police officers, prosecutors, judges and other criminal justice professionals receive regular and institutionalized training to sensitize them to gender- and child-related issues and to build their capacity with regard to responding to violence against children;

(h) To ensure that criminal justice officials and other relevant authorities are adequately trained in their respective areas of competence:

(i) To identify and respond appropriately to the specific needs of child victims of violence;

(ii) To receive and treat all child victims of violence respectfully, with a view to preventing secondary victimization;

(iii) To handle complaints confidentially;

(iv) To conduct effective investigations of alleged incidents of violence against children;

(v) To interact with child victims in an age-appropriate and child- and gender-sensitive manner;

(vi) To conduct safety assessments and implement risk management measures;

(vii) To enforce protection orders;

(i) To support the development of codes of conduct for criminal justice professionals that prohibit violence against children, including safe complaint and referral procedures, and to encourage relevant professional associations to develop enforceable standards of practice and behaviour.

Part three

Preventing and responding to violence against children within the justice system

XI. Reducing the number of children in contact with the justice system

29. Recognizing the importance of avoiding the unnecessary criminalization and penalization of children, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure that any conduct not considered a criminal offence or not penalized if committed by an adult is also not considered a criminal offence and not penalized if committed by a child, in order to prevent the child's stigmatization, victimization and criminalization.

30. In this regard, Member States are encouraged not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of children, and, in this respect, refers to the recommendations of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility without exception to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level.

31. Recognizing that an important and highly effective way of reducing the number of children in the justice system is through diversion measures, restorative justice programmes and the use of non-coercive treatment and education programmes as alternative measures to judicial proceedings, as well as the provision of support for families, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To consider diversion to community-based programmes and to provide police and other law enforcement officers, prosecutors and judges with options for

diverting children away from the justice system, including warning and community work, to be applied in combination with restorative justice processes;

(b) To foster close cooperation among the justice, child protection, social welfare, health and education sectors, so as to promote the use and enhanced application of alternative measures to judicial proceedings and to detention;

(c) To consider designing and implementing restorative justice programmes for children as alternative measures to judicial proceedings;

(d) To consider the use of non-coercive treatment, education and assistance programmes as alternative measures to judicial proceedings and the development of alternative non-custodial interventions and effective social reintegration programmes.

XII. Preventing violence associated with law enforcement and prosecution activities

32. Mindful of the fact that police and other security forces can sometimes be responsible for acts of violence against children, Member States are urged, while taking into consideration relevant international legal instruments, to prevent abuse of power, arbitrary detention, corruption and extortion by police officers who target children and their families.

33. Member States are urged to effectively prohibit the use of all forms of violence, torture and other cruel, inhuman or degrading treatment or punishment to obtain information, extract confessions, coerce a child into acting as an informant or agent for the police, or engage the child in activities against his or her will.

34. Mindful of the fact that arrests and investigations are situations in which violence against children can occur, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that all arrests are conducted in conformity with the law, to limit the apprehension, arrest and detention of children to situations in which these measures are necessary as a last resort, and to promote and implement, where possible, alternatives to arrest and detention, including summonses and notices to appear, in cases involving children as alleged perpetrators;

(b) To implement the principle that the apprehension or arrest of children should be conducted in a child-sensitive manner;

(c) To prohibit the use of firearms, electric shock weapons and violent methods to apprehend and arrest children and to adopt measures and procedures that carefully limit and guide the use of force and instruments of restraint by the police while apprehending or arresting children;

(d) To require, ensure and monitor police compliance with the obligation to notify parents, legal guardians or caregivers immediately following the apprehension or arrest of a child;

(e) To ensure the presence of a parent, legal guardian, legal representative or responsible adult and, if necessary, a child protection professional during any interview or interrogation procedure involving a child, and that children may

consult freely and in full confidentiality with parents, legal guardians and legal representatives before being interviewed;

(f) To ensure that children are informed of their rights and have prompt access to legal aid during police interrogation and while in police detention;

(g) To review, evaluate and, where necessary, update national laws, policies, codes, procedures, programmes and practices to implement policies and strict procedures for searching children while respecting their privacy and dignity, for taking intimate and non-intimate samples from child suspects and for assessing the age and gender of a child;

(h) To implement measures to specifically prevent violence related to unlawful practices by the police, including arbitrary arrests and detention and extrajudicial punishment of children for unlawful or unwanted behaviours;

(i) To establish accessible, child-appropriate and safe procedures for children to complain about incidents of violence during their arrest or interrogation or while in police custody;

(j) To ensure that alleged incidents of violence against children during their contact with the police are independently, promptly and effectively investigated and that those alleged to have been implicated in violence against children are removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as those conducting the investigation;

(k) To take measures to address the risk of violence and protect children during their transport to a court, hospital or other facility, including the risk of violence while being held in court holding cells together with adults;

(l) To ensure that, when a parent, legal guardian or caregiver is arrested, the child's best interests, care and other needs are taken into account.

XIII. Ensuring that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time

35. Recognizing that limiting the use of detention as a sentence and encouraging the use of alternatives to detention can help reduce the risk of violence against children within the justice system, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) Not to deprive children of their liberty unlawfully or arbitrarily and, in cases of such deprivation of liberty, to ensure that it is in conformity with the law and used only as a measure of last resort and for the shortest appropriate period of time;

(b) To ensure that children have continued access to government-funded legal aid during all stages of the justice process;

(c) To ensure that children can exercise their right to appeal a sentence and obtain the necessary legal aid to do so;

(d) To provide for the possibility of early release and make available aftercare and social reintegration programmes and services;

(e) To facilitate professional specialization, or at least specialized training, for criminal justice professionals dealing with children alleged as, accused of or recognized as having infringed the penal law.

XIV. Prohibiting torture and other cruel, inhuman or degrading treatment or punishment

36. Recognizing that no child should be subjected to torture or other cruel, inhuman or degrading treatment or punishment, Member States are urged:

(a) To review, evaluate and, where necessary, update their national laws to effectively prohibit sentences involving any form of corporal punishment for crimes committed by children;

(b) To review, evaluate and, where necessary, update their national laws to ensure that, under legislation and practice, neither capital punishment nor life imprisonment without the possibility of release is imposed for offences committed by persons when they were under 18 years of age.

XV. Preventing and responding to violence against children in places of detention

37. Recognizing that the majority of children deprived of their liberty are in police custody or pretrial or preventive detention and that those children might be at risk of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that children in police custody or pretrial or preventive detention can promptly appear before a court or tribunal to challenge that detention and that they have an opportunity to be heard either directly or through a representative or an appropriate body in a manner consistent with the procedural rules of national law, in order to obtain a prompt decision on any such action;

(b) To reduce delays in the justice process, to expedite trials and other proceedings involving children alleged as, accused of or recognized as having infringed the penal law, and to avoid the resulting prolonged or arbitrary detention of children while they await trial or the conclusion of a police investigation;

(c) To ensure the effective oversight and independent monitoring of all cases of police custody or pretrial or preventive detention of children;

(d) To endeavour to reduce pretrial detention by, inter alia, adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives, and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal aid.

38. Recognizing that, when children must be detained, the conditions of detention themselves can be conducive to various forms of violence against children, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that all detention facilities have adopted and implemented child-sensitive policies, procedures and practices, and to monitor compliance with them;

(b) To establish a maximum capacity for all places of detention and take concrete and sustained measures to address and reduce overcrowding in such institutions;

(c) To ensure that, in all places of detention, children are separated from adults and girls are separated from boys;

(d) To promote good practices in order to strengthen the protection and safety of children living in custody with an incarcerated parent, including consultation with the parents to determine their views regarding their child's care during the period of custody and the provision of special mother-and-child units or, where parents are detained for violation of immigration laws, separate family units in order to identify their special needs and accordingly provide appropriate protection;

(e) To facilitate the assessment and classification of children held in detention facilities in order to identify their special needs and accordingly provide appropriate protection, individualize treatment and interventions, including with respect to the specific needs of girls, and to ensure that there is a sufficient array of facilities to accommodate and adequately protect children of different ages or with differing needs;

(f) To ensure that treatment and support is offered to detained children with special needs, including to girls who are pregnant, give birth and/or raise children in detention, and that treatment for mental illness, disabilities, HIV/AIDS and other communicable and non-communicable diseases and drug addiction is offered, and to address the needs of children at risk of committing suicide or other forms of self-harm;

(g) To ensure that appropriate care and protection is provided to children accompanying a parent or legal guardian deprived of liberty on any ground, including for a violation of immigration law;

(h) To review, update and improve safety and security policies and practices within places of detention to reflect the obligation of the authorities to ensure the safety of children and protect them against all forms of violence, including violence among children;

(i) To prevent all forms of discrimination against or ostracism or stigmatization of detained children;

(j) To take strict measures to ensure that all alleged incidents of violence, including sexual abuse of children in a place of detention, are immediately reported and independently, promptly and effectively investigated by appropriate authorities and, when well founded, effectively prosecuted.

39. Recognizing also that it is imperative to minimize the risk of violence against children in detention, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that children in detention and their parents and/or legal guardians are aware of their rights and can access the mechanisms in place to protect those rights, including access to legal aid;

(b) To prohibit the use of placement in a dark cell or closed or solitary confinement or any other punishment that may compromise the physical or mental health of a child;

(c) To adopt and implement strict policies guiding the use of force and physical restraints on children during their detention;

(d) To adopt policies prohibiting the carrying and use of weapons by personnel in any facility where children are detained;

(e) To prohibit and effectively prevent the use of corporal punishment as a disciplinary measure, to adopt clear and transparent disciplinary policies and procedures that encourage the use of positive and educational forms of discipline and to establish in law the duty of managers and personnel of detention facilities to record, review and monitor every instance in which disciplinary measures or punishment are used;

(f) To prohibit any form of violence or threats of violence against children by staff of places of detention in order to force children to engage in activities against their will;

(g) To ensure the effective supervision and protection of children, as necessary, from violence by other children and adults, including through measures to prevent bullying by adults and by other children, and from self-harm;

(h) To prevent violence associated with youth gang activities and racist harassment and violence within places of detention;

(i) To encourage and facilitate, wherever possible and in the best interests of the child, frequent family visits and regular contact and communication between children and their family members, as well as with the outside world, and ensure that disciplinary sanctions for detained children do not include a prohibition of contact with family members;

(j) To prevent violence against and abuse of children suffering from mental illness or drug addiction, including through treatment and other measures to protect them from self-harm.

40. Recognizing the importance of preventing violence against children through appropriate staff recruitment, selection, training and supervision, Member States are urged, as appropriate:

(a) To ensure that all personnel working with children in places of detention are qualified, selected on the basis of professional capacity, integrity, ability and personal suitability, sufficiently remunerated, adequately trained and effectively supervised;

(b) To ensure that any person who has been convicted of a criminal offence against a child is not eligible to work in an agency or organization providing services to children, and to require agencies and organizations providing services to children to prevent persons who have been convicted of a criminal offence against a child from coming into contact with children;

(c) To train all personnel and make them aware of their responsibility to identify early signs of risks of violence and mitigate that risk, to report incidents of violence against children, and to actively protect children against violence in an ethical and child- and gender-sensitive manner.

41. Taking into account the distinctive needs of girls and their vulnerability to gender-based violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To eliminate the risk of all forms of harassment, violence and discrimination against girls;

(b) To ensure that the special needs and vulnerabilities of girls are taken into account in decision-making processes;

(c) To ensure that the dignity of girls is respected and protected during personal searches, which shall only be carried out by female staff who have been properly trained in appropriate searching methods and in accordance with established procedures;

(d) To implement alternative screening methods, such as scans, to replace strip searches and invasive body searches in order to avoid the harmful psychological and possible physical impact of such searches;

(e) To adopt and implement clear policies and regulations on the conduct of staff aimed at providing maximum protection for girls deprived of their liberty from any physical or verbal violence, abuse or sexual harassment.

42. Recognizing the crucial importance of independent monitoring and inspection mechanisms, Members States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure effective monitoring of, regular access to and inspection of places of detention and community-based institutions by national independent bodies and national human rights institutions, ombudspersons or members of the judiciary, who are empowered to conduct unannounced visits, conduct interviews with children and staff in private and investigate allegations of violence;

(b) To ensure that they cooperate with relevant international and regional monitoring mechanisms that are legally entitled to visit institutions in which children are deprived of their liberty;

(c) To promote international cooperation with regard to best practices and lessons learned related to national monitoring and inspection mechanisms;

(d) To ensure that all deaths of children in detention facilities are reported and promptly and independently investigated, and to promptly endeavour, as appropriate, to investigate injuries suffered by children and ensure that their parents, legal guardian or closest relatives are informed.

XVI. Detecting, assisting and protecting children who are victims of violence as a result of their involvement with the justice system as alleged or sentenced offenders

43. Given the crucial importance of providing children who report abuse and incidents of violence within the justice system with immediate protection, support and counselling, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To establish complaint mechanisms for child victims of violence within the justice system that are safe, confidential, effective and easily accessible;

(b) To ensure that children receive clear information, in particular when they first arrive in a place of detention, both verbally and in writing, about their rights, relevant procedures, how they can exercise their right to be heard and listened to, effective remedies to address incidents of violence and available services for assistance and support, as well as information on seeking compensation for damages, that such information is age and culturally appropriate and child- and gender-sensitive, and that parents and legal guardians are equally provided with relevant information on these measures;

(c) To protect children who report abuse, specifically taking into account the risks of retaliation, including by removing those allegedly implicated in violence against or ill-treatment of children from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, and those conducting the investigation;

(d) To take effective measures to protect children who provide information or act as witnesses in proceedings related to a case involving violence within the justice system;

(e) To provide access to fair, prompt and equitable redress mechanisms and accessible procedures for seeking and obtaining compensation for child victims of violence in the justice system and to endeavour to adequately fund victim compensation schemes.

44. Recognizing the importance of detecting and responding to all incidents of violence against children as a result of their involvement with the justice system as alleged or sentenced offenders, Member States are urged, as appropriate:

(a) To ensure that laws establishing obligations to report violence against children in the justice system respect children's rights and are incorporated into the relevant regulations of agencies and rules of conduct, and that all those working with children have clear guidance on reporting requirements and consequences;

(b) To implement protection measures for staff who report in good faith alleged incidents of violence against children and to adopt rules and procedures that protect the identity of professionals and private individuals who bring cases of violence against children to the attention of the competent authorities;

(c) To ensure the prompt, independent and effective investigation of all alleged incidents of violence against children involved with the justice system, as alleged or convicted offenders, by competent and independent authorities, including medical personnel, with full respect for the principle of confidentiality.

XVII. Strengthening accountability and oversight mechanisms

45. Member States are urged to take all appropriate measures to combat impunity and the tolerance of violence against children within the justice system, including awareness-raising programmes, education and effective prosecution of violent offences committed against children within the justice system.

46. Member States are encouraged to ensure that there is a clear and sustained commitment and obligation at all levels of justice institutions to prevent and address violence against children, including in a child- and gender-sensitive manner.

47. Member States are urged, as appropriate and while taking into consideration relevant international legal instruments:

(a) To promote accountability for incidents of violence against children in the justice system, including by adopting and implementing effective measures to enhance integrity and prevent corruption;

(b) To establish internal and external accountability mechanisms in policing and in places of detention;

(c) To establish all key elements of an effective accountability system, including independent national oversight, monitoring and complaint mechanisms for agencies dealing with children;

(d) To ensure the independent, prompt and effective investigation and prosecution of offences involving violence against children within the justice system;

(e) To ensure that all public officials who are found to be responsible for violence against children are held accountable through workplace disciplinary measures, termination of employment and criminal justice investigations, where appropriate;

(f) To promote transparency and public accountability regarding all measures taken to hold accountable perpetrators of violence and those who are responsible for preventing such violence;

(g) To undertake criminal or other public investigations into all serious reports of violence against children at any stage of the justice process, and to ensure that such investigations are carried out by persons of integrity, are adequately funded and are completed without undue delay.